

**SCURA, WIGFIELD, HEYER & STEVENS LLP**

1599 HAMBURG TURNPIKE

WAYNE, NEW JERSEY 07470

TELEPHONE: 973-696-8391

CHRISTOPHER J. BALALA (Attorney ID 030732010)

COUNSEL FOR THE DEBTOR

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

*In re:*

Chapter 13

PATRICIA GARDOCKI-SCHULTZ

Case No. 14-23200

Debtor.

Hon. Donald H. Steckroth

Hearing Date: August , 2014 at \_\_:\_\_  
Oral Argument Requested

**NOTICE OF MOTION FOR AN ORDER SANCTIONING BARNABAS  
HEALTH HOME CARE FOR VIOLATION OF AUTOMATIC STAY**

TO: All On Attached Service List

**PLEASE TAKE NOTICE**, that on \_\_\_\_\_ or as soon thereafter as counsel may be heard, the undersigned will move before Honorable Donald H. Steckroth, at US Bankruptcy Court, 50 Walnut Street, Third Floor, Newark, New Jersey, for an order holding Barnabas Health Home Care in civil contempt and liable for damages for violation of the automatic stay of 11 U.S.C A. § 362.

**PLEASE TAKE FURTHER NOTICE** that in support of the motion, the undersigned will rely on the attached certification of Patricia Gardocki-Schultz and a certification of Christopher J. Balala. A proposed form of order is also being submitted. A Memorandum of Law has not been submitted because the issues raised by the Motion are not extraordinary or unusual necessitating the filing of legal briefs.

**PLEASE TAKE FURTHER NOTICE** that objections, if any, to the relief requested in the Motion shall: (i) be in writing; (ii) specify with particularity the basis of the objection; and

(iii) be filed with the Clerk, United States Bankruptcy Court, P.O. Box 1352, Newark, NJ 07101-

1352 and simultaneously served on Debtor's counsel, Scura, Wigfield, Heyer & Stevens LLP,

1599 Hamburg Turnpike, Wayne, New Jersey (Attention: Christopher J. Balala, Esq.) so as to be

received no later than seven (7) days before the return date set forth herein, or as otherwise

directed by the Court.

**PLEASE TAKE FURTHER NOTICE** that unless objections are timely filed and served, the Motion shall be deemed uncontested in accordance with D.N.J. LBR 9013-1(a) and the relief requested may be granted without a hearing.

**PLEASE TAKE FURTHER NOTICE** that counsel hereby requests oral argument in accordance with D.N.J. LBR 9013-1 (f) in the event opposition papers are timely filed.

**SCURA, WIGFIELD, HEYER & STEVENS, LLP**

Dated: August 11, 2014

By:/s/ Christopher J. Balala

Christopher J. Balala, Esq.  
Counsel to the Debtor

**SERVICE LIST**